

CHAPTER 1052

DRUG PRESCRIBING AND DISPENSING — INFORMATION PROGRAM — ACCESS

S.F. 2102

AN ACT relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 124.550 Definitions.**

For purposes of this division, unless the context otherwise requires:

1. “*Pharmacist*” means a practicing pharmacist who is actively engaged in and responsible for the pharmaceutical care of the patient about whom information is requested.

2. “*Prescribing practitioner*” means a practitioner who has prescribed or is contemplating the authorization of a prescription for the patient about whom information is requested.

Sec. 2. Section 124.551, Code 2016, is amended to read as follows:

124.551 Information program for drug prescribing and dispensing.

1. Contingent upon the receipt of funds pursuant to section 124.557 sufficient to carry out the purposes of this division, the board, in conjunction with the advisory council created in section 124.555, shall establish and maintain an information program for drug prescribing and dispensing.

2. The program shall collect from pharmacies dispensing information for controlled substances identified pursuant to section 124.554, subsection 1, paragraph “g”. The information collected shall be used by prescribing practitioners and pharmacists on a need-to-know basis for purposes of improving patient health care by facilitating early identification of patients who may be at risk for addiction, or who may be using, abusing, or diverting drugs for unlawful or otherwise unauthorized purposes at risk to themselves and others, or who may be appropriately using controlled substances lawfully prescribed for them but unknown to the practitioner. ~~For purposes of this division, “prescribing practitioner” means a practitioner who has prescribed or is contemplating the authorization of a prescription for the patient about whom information is requested, and “pharmacist” means a practicing pharmacist who is actively engaged in and responsible for the pharmaceutical care of the patient about whom information is requested.~~

3. The board shall implement technological improvements to facilitate secure access to the program through electronic health and pharmacy information systems. The board shall collect, store, and disseminate program information consistent with security criteria established by rule, including use of appropriate encryption or other industry-recognized security technology.

4. The board shall seek any federal waiver necessary to implement the provisions of the program.

Sec. 3. Section 124.553, subsection 1, Code 2016, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. An institutional user established by the board to facilitate the secure access of a prescribing practitioner or pharmacist to the program through electronic health and pharmacy information systems.

Sec. 4. Section 124.553, subsection 2, Code 2016, is amended to read as follows:

2. The board shall maintain a record of each person that requests information from the program. Pursuant to rules adopted by the board and advisory council under section 124.554, the board may use the records to document and report statistical information, and may provide program information for statistical, public research, public policy, or educational purposes, after removing personal identifying information of a patient, prescribing practitioner, dispenser, or other person who is identified in the information.